

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (Rev. 2-2005)		ATTORNEY'S DOCKET NUMBER SPRUSON1100
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (Unknown, see 37 CFR 1.5) <b>407539219</b>
INTERNATIONAL APPLICATION NO. PCT/AU2003/001688	INTERNATIONAL FILING DATE 18 December 2003	PRIORITY DATE CLAIMED 18 December 2002
TITLE OF INVENTION A METHOD OF TREATING A MALIGNANCY IN A SUBJECT VIA DIRECT PICORNAVIRAL-MEDIATED ONCOLYSIS		
APPLICANT(S) FOR DO/EO/US SHAFREN, Darren R.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input checked="" type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). (unsigned)</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> <p>Items 13 to 23 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Express Mail Label No. EV 627 504 175 US</li> <li>23. <input checked="" type="checkbox"/> Other items or information:</li> </ol> <p>Postcard; Certificate of Mailing by Express Mail; Check No. 578177 in the amount of \$1,800.00</p>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/539219</b>		INTERNATIONAL APPLICATION NO. <b>PCT/AU2003/001688</b>		ATTORNEY'S DOCKET NUMBER <b>SPRUSON1100</b>	
The following fees are submitted:				<b>CALCULATIONS</b>	<b>PTO USE</b>
24. <input checked="" type="checkbox"/> Basic national fee .....				\$300	\$
25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). ....				\$100	\$
All other situations. ....				\$200	
26. <input checked="" type="checkbox"/> Search fee .....					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....				\$100	
International Search Report prepared and provided to the Office .....				\$400	
All other situations. ....				\$500	\$
<b>TOTAL OF 24, 25 and 26 =</b>					\$900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
64 - 100 =	0 /50 =	0	x \$250.00	\$	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	62 - 20 =	42	x \$50.00	\$	\$2,100.00
Independent claims	6 - 3 =	3	x \$200.00	\$	\$600.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	\$3,600.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$1,800.00
<b>SUBTOTAL =</b>				\$	\$1,800.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
<b>TOTAL NATIONAL FEE =</b>				\$	\$1,800.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00
<b>TOTAL FEES ENCLOSED =</b>				\$	\$1,800.00
				Amount to be	\$
				Amount to be	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <b>\$1,800.00</b> to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>07-1896</b> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Lisa A. Haile, J.D., Ph.D. DLA PIPER RUDNICK GRAY CARY US LLP 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133 US Customer No. 28213					
				SIGNATURE	
				Lisa A. Haile, J.D., Ph.D.	
				NAME	
				38,347	June 17, 2005
				REGISTRATION NUMBER	

10/539219

DOCUMENT: US National Application Filing

DOCKET NO.: SPRUSON1100

SERIAL NO.: Unknown

JC20 Rec'd PCT/PTO 17 JUN 2005

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

"EXPRESS MAIL" MAILING LABEL NUMBER EV 627 504 175 US

DATE OF DEPOSIT June 17, 2005

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO MAIL STOP PCT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Trudy Gerovske

(Typed or Printed Name of Person Mailing Papers)

Trudy Gerovske

Signature